

### REMARKS

Applicants have thoroughly considered the Examiner's remarks in the March 17, 2008 Office action and have amended the application to more clearly set forth aspects of the invention. This Amendment A amends claims 1-6, 9, 11-13, 16-21, 25, 27-29, and 34-40. No new matter has been added.

**As a preliminary matter, Applicants note the application as filed has 40 claims, not 39 as indicated by the Examiner. Claim 40 is on page 44 of the present application.**

Claims 1-40 are thus presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

### Claim Objections

Claim 17 stands objected to for the phrase "adapted to". Claim 17 has been amended to recite "[a] system for detecting an electronic communication sent or received by a minor including sexual predatory behavior". Therefore, Applicants request that the Examiner withdraw the objection.

### Claim Rejections Under 35 U.S.C. § 101

Claims 16 and 34-39 stand rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicants have amended claims 16 and 34-39 to recite "computer-readable storage medium". Paragraph 54 of the specification of the present application discloses "**computer readable media comprise computer storage media and communication media.**" The application distinguishes storage media from communication media. For example, "**communication media typically embody computer readable instructions, data structures, program modules, or other data in a modulated data signal such as a carrier wave or other transport mechanism and include any information delivery media**" in contrast to "**computer storage media**[, which] include[s] volatile and nonvolatile, removable and non-removable media implemented in any method or technology for storage of information such as computer readable instructions, data structures, program modules or other data." Thus, storage media does not include communication media including data signals. Therefore, Applicants request that the Examiner withdraw the rejection.

### **Claim Rejections Under 35 U.S.C. § 102**

Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Packer, U.S. Pub. App. 2005/0050222, hereinafter "Packer". Additionally, claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Pather et al., U.S. Pub. App. 2007/0156656, hereinafter "Pather" and by Hegli et al., U.S. Pat. 6,606,659, hereinafter "Hegli". In order for a reference to anticipate an invention, the reference must "describe all of the elements of the claims, arranged as in the patented device." C.R. Bard, Inc. v. M3 Systems, Inc., 157 F.3d 1340, 1230 (Fed. Cir. 2000). When looking at a reference for anticipation, "[t]he identical invention must be shown in as complete detail as is contained in the patent claim." 868 F.2d, 1226, 1236 (Fed. Cir. 1989). Furthermore, there is "no anticipation unless all of the same elements are found in exactly the same situation and united in the same way . . . in a single prior art reference." Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888, 894 (Fed. Cir. 1984).

Packer discloses systems and methods for routing electronic communications based on the identification and categorization of URLs in the electronic communication. (Abstract). Packer also teaches controlling access by third parties to **web pages** by parsing a web page, **identifying URLs** within the parsed web page, **categorizing the identified URLs**, and permitting third parties to **access the web page as a function of the categorized URLs**.

Pather discloses systems and methods for subscription modeling where subscriber receives notification of subscribed events. (Abstract).

Hegli discloses systems and methods for allowing access to web sites based on category information. (Abstract). Additionally, Helgi teaches that if a user chooses to access a web page within a predefined category, the access will be granted but they are notified their access will be logged. (Abstract).

### Claims 1 and 17

In contrast, claim 1 as amended recites a method for **notifying a responsible person of a minor of an electronic communication sent or received by the minor and including content relating to sexual predatory behavior directed to the minor:**

analyzing one or more features of the electronic communication, said one or more features **indicative of the sexual predatory behavior directed to the minor;**

**categorizing the electronic communication as relating to the sexual predatory behavior** as a function of the analyzed features;  
**generating a report** if the electronic communication is categorized as relating to the sexual predatory behavior, said report indicative of the sexual predatory behavior directed to the minor; and  
**sending the report to the responsible person of the minor.**

The categorizer may include an unsafe or undesired behavior category model, which may identify combinations of features that are statistically significant in a communication relating to a type of unsafe or undesired behavior. (Page 10, paragraph 28). Pattern recognition may create a particular unsafe or undesired behavior category model by using text classification or other techniques to recognize combinations of statistically significant features (e.g., statistically significant keywords, key phrases, and/or contextual information). (Page 10, paragraph 29). Examples of such commonly shared and thus statistically significant features might include “what is your address,” “don’t tell your parents,” “let’s meet next week,” etc. (Page 10, paragraph 29).

As discussed in paragraph 4 of the specification, **sexual predatory behavior** includes sophisticated manipulation techniques to pretend to be innocuous in order to expose minors to an inappropriate or offensive language, to engage minors to a prurient or sexual conversation, to solicit personal information, characteristics or pictures from minors, and in the worst case, to arrange a physical meeting with minors.

The report generator includes instructions to generate a report if categorizer categorizes electronic communication as relating to a type of unsafe or undesired behavior. (Page 13, paragraph 33). Typically, report may include a content of electronic communication (e.g., a transcript, copy, summary, set of extracted sentences, or highlighted version of electronic communication) for responsible person to review the content to determine whether electronic communication truly relates to a type of unsafe or undesired behavior. (Page 13, paragraph 34). Report may also include an identification (i.e., an Internet Protocol (IP) address or other identifying information) of a source or recipient of electronic communication such as an alias, user name, email address, or screen name of third party. (Page 14, paragraph 35). Advantageously, by sending report to responsible person, the invention allows responsible person flexibility in deciding how to address or remedy a type of unsafe or undesired behavior possibly related to electronic communication.

None of the cited references teaches or makes obvious analyzing one or more features of the electronic communication, said one or more features **indicative of the sexual predatory behavior directed to the minor or generating a report** indicative of the sexual predatory behavior directed to the minor or **sending the report to the responsible person of the minor**. With respect to the Packer reference, Packer routes electronic communications based on the identification and categorization of **URLs** in the electronic communication. Thus, if the communication contains no URLs but the phrase "don't tell your parents", Packer would fail to detect the sexually predatory behavior. Additionally, Packer teaches permitting third parties to **access the web page as a function of the categorized URLs**. Therefore, Applicants respectfully submit that Packer could not disclose or suggest each and every element of the amended claims. Additionally, claims 17 and 34 include similar subject matter. Hence, the rejection of claims 1-39 under 35 U.S.C. §102(b) as being anticipated by Packer should be withdrawn.

With respect to Pather discloses systems and methods for notifying a subscriber when an event of interest has occurred. (i.e. stock price change). However, **Pather does not analyze an electronic communication** to generate a notification; instead **events are generated by an event provider and sends notification in the form of an electronic communication** (see FIG. 1 of Pather). Additionally, claims 17 and 34 include similar subject matter. Hence, the rejection of claims 1-39 under 35 U.S.C. §102(b) as being anticipated by Pather should be withdrawn.

With respect to Helgi, Helgi analyzes web sites, not electronic communications (see FIG. 1 of Helgi). Additionally, Helgi, does not anticipate a sexually predatory behavior, nor does Helgis teach sending a **response to a responsible person of the minor**. Additionally, claims 17 and 34 include similar subject matter. Hence, the rejection of claims 1-39 under 35 U.S.C. §102(b) as being anticipated by Pather should be withdrawn.

Additionally, neither Packer, Pather nor Helgi discloses "**categorizing** the electronic communication **as relating to the sexual predatory behavior** as a function of the analyzed features". For at least these reasons, Applicants submit that cited references, alone or in combination, do not teach or make obvious each and every element of claim 1. Additionally, claims 17 and 34 include similar subject matter and are allowable for at least the same reason as claim 1. Claims 2-16, 18-33, and 35-40 depend from claims 1, 17, and 34, respectively, and are allowable for at least the same reasons as claims 1, 17, and 34.

Claim 34

In addition to the subject matter included in claim 1, claim 34, as amended, recites **"generating an alert to a responsible person of the minor if an electronic communication session associated with the electronic communication is still in progress, said alert indicative that the sexual predatory behavior directed to the minor is in progress."** For example, if a possible unsafe or undesired behavior related to the instant messaging message is detected, the system determines whether the instant messaging session is still in progress. (FIG. 5, page 26, paragraph 56). If the instant messaging session is still in progress, system may generate an alert at to inform a user and/or a responsible person of the user that the instant messaging message possibly relates to an unsafe or undesired behavior. (FIG. 5, page 26, paragraph 56). Such an alert advantageously allows the responsible person to take prompt actions to address or remedy the possible unsafe or undesired behavior related to the instant messaging message.

Neither Packer, Pather nor Helgi discloses **"generating an alert to a responsible person of the minor if an electronic communication session associated with the electronic communication is still in progress, said alert indicative that the sexual predatory behavior directed to the minor is in progress"**. For at least these reasons, Applicants submit that cited references, alone or in combination, do not teach or make obvious each and every element of claim 34. Claims 35-40 depend from claim 34 and are allowable for at least the same reasons as claim 34.

Conclusion

Applicants submit that the claims are allowable for at least the reasons set forth herein. Applicants thus respectfully submit that the claims as presented are in condition for allowance and respectfully request favorable reconsideration of this application.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

**Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and**

**encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.**

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

/Frank R. Agovino/

Frank R. Agovino, Reg. No. 27,416  
SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

FRA/BAW/cjl